

15.12.2022
Sl.28
Court No.29
(sp)
(Rejected)

C.R.M. (A) 5845 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tangra** Police Station Case No.**295 of 2022** dated **19.10.2022** under Section **354A** of the Indian Penal Code read with Section **8** and **12** of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Arun Mondal**

....petitioner.

Ms. Sanjida Sulatana

...for the petitioner.

Mr. Tanmoy Kr. Ghosh, Id. Sr. G.A.

Ms. Pritha Paul

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is a Government employee. Question of absconsion therefore does not arise. He submits that the petitioner was falsely implicated due to prior enmity.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

The victim is 13 years of age. She implicates the petitioner in the offences alleged.

There is no material either in the case diary or in the application for anticipatory bail, suggesting that there was any prior enmity between the two families.

Considering the gravity of the offence and the materials in the case diary, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 5845 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

